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 7

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

10
 11 ROBERT RUNNINGS, individually, and
 on behalf of all others similarly situated,

12 Plaintiffs,

13 vs.

14 DOLLAR TREE STORES, INC.

15 Defendant.

Case No.: C-07-4012 SC

CLASS ACTION

DECLARATION OF ROBERT RUNNINGS

16
 17 MIGUEL A. CRUZ and JOHN D.
 HANSEN, individually, and on behalf
 18 of all others similarly situated,

19 Plaintiffs,

20 vs.

21 DOLLAR TREE STORES, INC.

22 Defendant.

**Case No.: C-07-02050 SC (Consolidated
 Action)**

CLASS ACTION

23 I, Robert Runnings, declare as follows:

24 1. I am one of the Representative Plaintiffs in the above-referenced matter. I submit
 25 this Declaration in support of Plaintiffs' Opposition to Defendant's Motion for Summary
 26 Judgment.

27 2. I have worked as a California Store Manager for Dollar Tree since 2004. Before
 28

1 that, I worked for many years in retail stores. After high school, I began working as an hourly
2 associate at Clover's Supermarket. Some years after that, I worked at Ray's Food Place as an
3 hourly associate and, finally, a produce manager, altogether for roughly six years. Like Dollar
4 Tree, the majority of my time at both Ray's Food Place and Clover's Supermarket was spent
5 stocking products and attending to customer service. The only significant difference between
6 these prior retail environments and Dollar Tree is that, at Dollar Tree, most of the non-manual
7 labor is automated.

8 3. Unlike some of the other retail locations in which I have worked, Dollar Tree has
9 a policy and procedure for virtually everything employees, including the Store Manager, do in the
10 store. There are automated computer systems for ordering merchandise, creating employee
11 schedules and determining the number of hours worked by employees. The number of payroll
12 hours for any given week are either predetermined by a computer system, or just given to me by
13 the District Manager. Sometimes I ask for more payroll hours, yet I ordinarily have that request
14 denied. Dollar Tree (corporate) tells us how the store should look, how it should be run, and, to a
15 large extent, when I should work.

16 4. Because almost any other non-physical task imaginable is performed through
17 some type of automated system, Dollar Tree employees spend most of their time performing
18 manual labor, such as stocking shelves, cleaning the store, "throwing freight," and/or ringing up
19 sales at the cash register. **On average, I spend well over 75% of my time doing these tasks on**
20 **a weekly basis.** While Dollar Tree uses lofty-sounding titles for many of these tasks (e.g.,
21 "managing" inventory), they are mostly manual labor-type tasks.

22 5. I have read Dollar Tree's Motion for Summary Judgment (MSJ) and I dispute
23 many of the material facts discussed in it. Many of these are discussed in this Declaration.

24 6. Generally, the MSJ paints the Store Manager job position as one requiring a
25 substantial amount of independent judgment and discretion, yet I significantly disagree with that
26 characterization. **Well over one half of my work time**, on a pay period by pay period basis, is
27 spent performing tasks that are physically-demanding in nature (i.e., manual labor), and not for
28 training purposes. Moreover, within the remaining percentage of time that I am *not* performing

1 manual labor tasks, I am performing tasks that require some use of judgment, but are generally
 2 performed under such tight controls by upper management and/or the corporate offices that my
 3 options as to what decisions/choices to make are obvious or substantially limited in number.

4 7. Relatively recently, Dollar Tree has instituted a policy that requires Store
 5 Managers to sign a weekly "Certification Form,"attesting that we performed, during that week,
 6 so-called "managerial" tasks more than 50 percent of our time. More often that not, I checked
 7 that my work had not met that standard. It did not seem to matter whether I certified "yes" or
 8 "no," however, because, until this lawsuit was filed, I had no evidence that Dollar Tree ever even
 9 read these Certification Forms. For example, sometimes I would check that I had been "non-
 10 compliant" and write comments or explanatory statements like "Never am. Nobody seems to
 11 care, so why start now. " No one ever followed up with me regarding my certification answers.

12 8. Attached as Exhibits *A-I* are true and correct copies of examples of such
 13 statements I made on the Certification Forms.

14 9. Except for those Certification Forms I provided to my lawyers, and which are
 15 attached to this Declaration, I do not have any other copies of my Weekly Certification Forms. I
 16 am informed that this is due to an alleged "computer glitch" in Dollar Tree's computer system; I
 17 was notified via email by Dollar Tree that my certification Forms were destroyed, and that I had
 18 to "re-certify" from the time period beginning in January 2007 until the date of the email. To my
 19 memory, I certified almost exclusively non-compliant for this time period. In fact, I often wrote
 20 comments such as "You guys never listen to me," and "I'm going to sue you,"when certifying
 21 "non-compliant," not to be flippant or humorous, but rather to see if Dollar Tree was even
 22 reading the forms. Attached as *Exhibit J* is a true and copy of the email notifying me that Dollar
 23 Tree had lost my Certification Forms.

24 10. As indicated above, on occasion, I certified that my actual work was aligned with
 25 the duties listed on the Certification Form. This does not mean, however, that I believe(d) that
 26 those listed tasks required me to use any discretion, judgment or critical thinking, or that they
 27 constituted much (if any) more than manual labor-type tasks. My certification simply meant that I
 28 performed those tasks, as titled by Dollar Tree. Prior to this case being filed, I had no knowledge

1 of what constituted overtime-“exemption” work. Moreover, I have never been asked by anyone at
 2 Dollar Tree whether I agree with the labels Dollar Tree assigns to certain tasks. For example, if
 3 Dollar Tree referred to the act of stacking pencils as “maintaining merchandising standards” and
 4 told me to call it that too, then, if I stacked pencils, I would have attested to that in my weekly
 5 Certification Form. It does not mean that I believed it was managerial.

6 11. In large part, I would not characterize the nature of the tasks that I do using the
 7 labels Dollar Tree assigned to them.

8 12. In Dollar Tree’s MSJ, the company sets forth several so-called “undisputed facts”
 9 which I nevertheless believe are **very much in dispute** and which go to the heart of the kind of
 10 work I really do. The following table sets forth many of Dollar Tree’s arguments with which I
 11 disagree:

<u>Dollar Tree’s “Undisputed” Fact:</u>	<u>My Dispute of that/those Fact(s):</u>
<p>13 “Each store is run by a Store Manager who is 14 responsible for all that happens within his 15 store.” Defendant’s Motion, pp. 4:22-23.</p>	<p>16 Almost every decision of consequence relating to management of the store must be approved by Rick Tellstrom, my District Manager, my Regional Manager, Rosalind, Candace Kamp, Director of Human Resources, or Dollar Tree (corporate).</p> <p>17 For example, any time I want to fire an employee, I must get approval from Candace. If I wanted to sell a new product in my store, it must be approved and implemented by the corporate office. If I did not feel ordering more product for the store was appropriate for any given week, I would have to run this decision by the corporate office. The maximum payroll hours which I may use to run my store are either set by my District Manager, or capped by the “SPEH” system. I must get approval from my District Manager if I want to schedule more hours.</p>

1 "The merchandise mix and merchandise
2 displays vary from store to store because
3 Store Mangers are expected to drive sales by
4 creating displays and ordering merchandise
5 that attracts their stores' customers." pp. 5:17-
6 19.

The vast majority of merchandise found in any given Dollar Tree retail location is automatically ordered via the "Automatic Store Replenishment System," a computer system that was set up by Dollar Tree (corporate) and is used in every retail location. Basically, you hit a button and the computer determines what kind of products your store needs, and how much. For that reason, Store Managers have little ability to "drive sales" by varying and gearing the "merchandise mix" to individual stores' customers.

The appearance of a significant portion of Merchandise Displays are dictated by Dollar Tree (corporate). Dollar Tree (corporate) sends a map or so-called "plan-o-gram" to every Dollar Tree retail location so that the merchandise may be displayed according to Dollar Tree's preferences and policies.

While it is true that a large number of the merchandise *displays* in my store are built without a plan-o-gram or map from Dollar Tree, there is little discretion or creativity involved in making these merchandise displays. The merchandise displays are wholly dictated by the type of product that comes into the store; as stated above, products are automatically sent via a computer system. Further, my Assistant Managers and hourly associates often build the "end caps" and merchandise displays.

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<p>As store manager, Runnings was responsible for all the ordering in his store." pp. 5:20-21.</p>	<p>As stated above, the vast majority of products were ordered via Dollar Tree's uniform "ASR" system, meaning that I had little responsibility for selecting the products that came into my store.</p> <p>Not only are the majority of products that come into my store ordered via an automated system generated and controlled by Dollar Tree (corporate), but Dollar Tree (corporate), not me, has the authority to introduce a completely new product into my store. For example, Dollar Tree (corporate) recently decided that my store should sell frozen foods. I had no involvement in this decision. However, Dollar Tree does not allow my store to order or sell alcohol. Again, this is not my decision to make.</p> <p>If I do not want more product to be ordered for any given week via the ASR system, I have to obtain permission from my District Manager to override the system. There is no promise of this occurring.</p>
<p>"analyzing and preparing reports" pp. 5:26</p>	<p>I have never been called upon to write a report as a Store Manager, and the extent of my analysis of reports is my morning review of cashier statistics (which are automatically printed out the night before), and a weekly review of 4-5 different reports to put in the "playbook." On a weekly basis, reviewing these reports rarely takes more than a total of thirty minutes.</p>
<p>"scheduling employees" pp. 5:27</p>	<p>Cashier schedules are generated by Dollar Tree's "Compass" system, an automated computer system in place at all Dollar Tree retail locations. The vast majority of hourly workers at my store are assigned to attend the cash registers, for obvious reasons; therefore, I am only truly responsible for compiling schedules for myself, the assistant managers, and the freight crew. Even when I have to re-write the entire schedule due to some error in Compass, this process never takes more than an hour (per week).</p>

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1 2 3 4 5 6 7 8 9 10	"hiring, firing, and disciplining employees" pp.5:27-28.	I am not allowed to hire more than three Assistant Managers, I am not authorized to hire Assistant Managers without approval from Rick Tellstrom, my District Manager, and Rosalind, my Regional Manager. Further, I must seek the advice of either my District Manager or a member of Human Resources before firing one of my employees. In addition to the above limitations on my ability to hire and fire employees, the limited number of payroll hours operated as a restriction on my ability to hire more hourly associates to either "throw freight," perform stocking functions, or to cashier. It is difficult, if not impossible, to hire and then retain an employee if s/he is only given one shift per week.
11 12 13 14 15	"determining employee raises" pp.6:1	Rick Tellstrom, and not me, has the ultimate authority to give one of my employees a raise. Further, my more recent suggestions to Rick Tellstrom that certain employees be given raises have not resulted in actual raises for these employees, at least to my knowledge (indicating that either my suggestions were not followed or, if they were, this is not information I am apparently expected to need).
16 17	"determining employee promotions" pp. 6:2	Ultimate authority to promote any employee in my own store rests with my District manager, Rick Tellstrom.
18 19 20	"planning the daily work activities" pp.6: 2-3.	Dollar Tree fails to mention that this process (which involves me walking through the store in the morning with a clipboard and observing areas that need to be cleaned and/or stocked) generally takes no more than 15 minutes of my time.
21 22	"approving payroll" pp. 6:3	Most pay periods, my Assistant Managers approve payroll. Every District Manager I have ever worked for approves this practice.
23 24 25 26 27 28	"reviewing store employees' time records to make sure that all work is accurately recorded" pp. 6:3-4.	This activity takes five or ten minutes per day, at the maximum and requires little thought or attention. The "Compass" computer system automatically generates a warning message whenever an hourly employee has failed to punch in/out around a break, or has worked over and above his/her scheduled shift, making active review of employees' time records largely unnecessary.

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1 2 3	"determining and hiring the number of employees needed" pp. 6:5	The stringent limitations on payroll hours imposed on me by Dollar Tree (corporate) results in a restriction on my ability to hire more employees.
4 5	"accounting for all sales transactions in the store" pp. 6:7.	I am unclear on what this refers to. To the extent that this suggests that I review cashier statistics, this is a perfunctory process that takes no more than ten minutes per day.
6 7 8 9 10 11 12	"register audits" pp. 6:8	Non-exempt Assistant Managers are also authorized to conduct register audits, which are, in large part, routinized work that does not require independent thought or the use of any meaningful discretion. Specifically, a register audit requires merely a comparison between the results of an automatically-generated report and the actual cash contents of a register. Anyone who can read and count should be capable of performing this function. Moreover, when I do perform register audits, they generally take less than ten minutes of my time.
13 14 15	"field markdowns" pp.6:10-11.	I have never reduced the price of an item in my store without either my District Manager or Dollar Tree's permission or instruction, nor has anyone ever told me that I am authorized to do so.
16 17	"merchandising the store" pp. 6:11.	Dollar Tree largely dictates how displays and "end-caps" are set up, and what products will go into the merchandise displays, as described more fully above.
18 19 20 21 22 23 24 25 26 27 28	"creating and maintaining a workplace that is compliant with federal and state laws" pp. 6:14-15.	I am unclear on which job tasks Dollar Tree refers to by this statement. To the extent that I ensure "compliance" with the law, it is because Dollar Tree has strict policies governing my actions as to: worker's compensation forms, store sanitation levels, minimum wage requirements, etc. In summary, Dollar Tree provides me with forms to use (presumably so that Dollar Tree is in compliance with various laws), and I use them.

1 "controlling both internal and external
2 inventory loss in the store" pp. 6:9

I am not the only one in the store charged with reporting employee or customer theft. Moreover, my options when confronted with employee or customer theft are quite limited. In the case of employee theft, I must run any decision to terminate the employee by either my District Manager or a representative of Dollar Tree's Human Resources Department. In the case of customer theft, I am instructed to call the police and, if safe, detain the customer.

7
8 13. I was asked by Dollar Tree's attorney, during my deposition, whether I believed
9 that the duties referenced in the table above were among my "principal duties" and/or "principal
10 responsibilities" as a Dollar Tree Store Manager. I answered "yes" to these questions, merely
11 indicating that I had, in fact, performed these duties during the course of my employment at
12 Dollar Tree.

13 14. After having read Dollar Tree's MSJ, I note that my testimony has been used to
14 suggest that I agree that work tasks are managerial (i.e., legally "exempt"). This is not what I
15 testified to and I, while I cannot provide a legal opinion as to whether these tasks are "exempt," I
16 do not believe they are "managerial." More accurate is that:

- 17 a. I did not complete all of these activities on a regular basis;
- 18 b. I do not regularly spend large amounts of time conducting any of these
19 activities;
- 20 c. I am not the only employee capable of or authorized to perform many of
21 the above-referenced activities in my store. In fact, other non-exempt employees do much of these
22 tasks as well;
- 23 d. I was not permitted to use much independent judgment or discretion when
24 conducting most of these activities. In fact, Dollar Tree maintains extensive procedures regarding
25 these activities that all Store Managers must follow when performing them;
- 26 e. I do not believe that it is either realistic or reasonable for Dollar Tree to
27 expect me to spend the majority of my time on these activities, given the high volume of stock in
28 my store and the limited payroll hours that are usually available to us.

1 15. As a Dollar Tree Store Manager, I am rarely able or authorized to exercise
 2 discretion or independent judgment in performing my job functions and when I do, it is not with
 3 regard to matters of any real consequence. Dollar Tree (corporate) dictates what I sell in my
 4 store, the price at which I sell it, the maximum hours my store associates may work, the number
 5 of Assistant Managers I may have, how the store should look, and what hours the store should
 6 operate. For those so-called "management" functions that I do perform, such as register audits,
 7 merchandising decision-making and the like, they are always performed pursuant to strict and
 8 detailed Dollar Tree policies (e.g., through the use of detailed store schematics that show where
 9 to stack most, if not all, items), sometimes cloaked as my District Manager's
 10 "recommendations."

11 16. As explained above, at least 75% of my time as a Dollar Tree Manager is spent
 12 performing manual labor, such as throwing freight, stocking products, or cashiering. Despite
 13 Dollar Tree's argument that this type of physical labor is actually "managerial" work, the reality
 14 is that I perform these tasks not for the purpose of training, supervising, or observing my hourly
 15 employees, but because, if I did not perform these tasks, they would not be completed and the
 16 store would not be able to run. By and large, there are simply not enough employees, not enough
 17 payroll hours, and too much product (notably, all at a \$1.00 price point or less) for me to spend
 18 my time performing "administrative" or "managerial" duties most of my days. Moreover, the
 19 nature of the retail work we do does not require much ongoing supervision or repeated training.

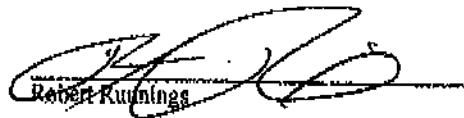
20 17. I filed this case because, irrespective of the titles Dollar Tree assigns to certain
 21 duties I perform, I work alongside the other store employees, largely doing the same time of work
 22 they do. Nothing about my impression of the work I do has changed since I filed this case. Given
 23 my manager's observations of what I do, I am informed and believe that Dollar Tree has reason
 24 to know what I am really doing as well, irrespective of what titles the company gives those tasks.

25 18. I have, on several occasions, alerted various members of Dollar Tree management,
 26 including Rick Tellstrom and Mike Cossolotto, that I am spending the majority of my time
 27 performing manual labor, am working grueling hours, and am not being provided with the
 28 payroll necessary for me to run my store. Despite my repeated complaints, this situation has not

1 changed.

2 19. Finally, I understand that the MSJ argues that I have not performed my job to
3 Dollar Tree's expectations. However, in 2007, I won Dollar Tree's "Top Gun" Award, which
4 means my store experienced the highest increase in sales for my District over the past year.
5 Whatever factors may have ultimately contributed to the store's success, the mere act of being
6 presented with such an award suggests to me that the characterization of me as a poor performer
7 lacks credibility.

8
9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct. Executed this 28 day of February, 2008 in Willits, California.

11
12 
13 Robert Kunnings

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EXHIBIT A

DLTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 05/05/2007 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☒ Yes☐ No

Reason:

Never am. Nobody seems to care, so why start now.

Robert Runnings
Store Manager Name

2939
Store Number

06/14/2007
Date

Submit | Reset

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EXHIBIT B

DLTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 05/19/2007 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☐ Yes☒ No

Reason:

Inventory prep. Threw freight all week. Unloaded truck with only 1 other	▲ ▼
--	--------

Store Manager Name	2939 Store Number	05/23/2007 Date
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Submit	Reset
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EXHIBIT C

CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 05/20/2006 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☒ Yes

☐ No

Reason:

Week of inventory, including an 18 hour
 day. Non-compliant # 40...??

Robert Runnings
Store Manager Name

2939
Store Number

05/26/2006
Date

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EXHIBIT D

DLTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 06/10/2006 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☐ Yes☒ No

Reason:

Freight manager injured. I ran the crew. Non-compliant # 50 or so...	▲ Y
--	--------

Robert Runnings
Store Manager Name

2939
Store Number

06/14/2006
Date

SubmitReset

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EXHIBIT E

DTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 10/21/2008 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☐ Yes

☒ No

Reason:

Forced to cut hours by D.M. Fired freight manager and had to run crew.	▲ ▼
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Robert Runnings
Store Manager Name

2939
Store Number

10/25/2008
Date

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EXHIBIT F

DLTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 06/06/2008 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☐ Yes

☒ No

Reason:

Inventory prep

Robert Runnings

Store Manager Name

2939

Store Number

05/11/2008

Date

SubmitReset

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EXHIBIT G

DLTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 04/15/2006 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☒ Yes☐ No

Reason:

Labor out by D.M. again. Non-compliant
yet again. 30x??

Robert Runnings

Store Manager Name

2939

Store Number

04/22/2006

Date

SubmitReset

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EXHIBIT H

DLTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 04/22/2006 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☐ Yes

☒ No

Reason:

Hours out. Inventory approaching. Not enough hours=non-compliant.	▲ ▼
---	--------

Robert Runnings
Store Manager Name

2939
Store Number

04/22/2006
Date

Submit | Reset

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EXHIBIT I

DLTR ~ CERTIFICATION OF JOB DUTIES

CERTIFICATION OF JOB DUTIES

STORE MANAGERS IN CALIFORNIA

I hereby certify that the time records I am submitting for week-ending 04/29/2006 are accurate, to the best of my knowledge, and that I, as Store Manager, spent more than 50% of my actual work time during this payroll period on the principal, supervisory job duties and responsibilities listed on the company's job description for Store Manager, a copy of which I have reviewed and agree accurately describes my job duties and responsibilities.

I understand that if, for any reason, I have not complied with any of the requirements set forth herein, I cannot make this Certification and I must immediately give an explanation. In addition, I must contact the Human Resources Department and give an explanation.

I further understand that no salary or wage will be withheld because of non-compliance.

☐ Yes

☒ No

Reason:

Full warehouse, not enough hours to get ready for inventory. Non-compliant #35?

Robert Runnings
Store Manager Name

2039
Store Number

05/01/2006
Date

Submit Reset

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EXHIBIT J

Re: Certification



Patricia Doss

To: SM02939 SM02939@DLTR
cc:

09/27/2007 08:41 AM Subject: Re: Certification

Rob:

Did you read the alert? We had a technical difficulty and all the certs must be answered in order to get them to go away, even if you have already completed them.

Thank you for your question and prompt action with this issue.

Patricia E. Doss
Manager, Human Resources
757-321-5015 (direct dial)

▼ SM02939 SM02939

SM02939
SM02939

To: Patricia Doss/HUM/DLTR
cc: SM02939 SM02939
Subject: Certification

09/26/2007 08:02
PM

Patricia,

When I go into my Certification of Duties, a link shows up for every week of the entire 2007 year. It has never done that before. How do I get this fixed?

Rob
SM 02939